

Court No. - 90

Case :- APPLICATION U/S 482 No. - 41995 of 2023

Applicant :- Munna

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Amit Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak,J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.

2. The present applicant has invoked the inherent power of this Court under Section 482 CrPC beseeching the quashing of charge sheet dated 02.08.2017, cognizance/summoning order dated 07.10.2017 and N.B.W. order dated 29.03.2023 as well as entire proceedings of Criminal Case No.3694 of 2017 (State Vs. Abdul Wakeel and others), arising out of Case Crime No.488 of 2017, under Section 3/5/8 of Cow Slaughter Act, Police Station Sonha, District Basti, pending in the court of learned 5th Civil Judge Junior Division Basti.

3. After due deliberation at length, without pressing on the merits of the case, learned counsel for the applicant submits that due to some personal difficulty, present applicant could not appear before the court concerned, therefore, some protection may be granted to the present applicant so that he may appear before the court below and participate in the court proceedings.

4. Learned A.G.A. has no objection in issuing a direction to consider the bail application moved on behalf of the present applicant.

5. In this conspectus, as above, no useful purpose would be served to keep the instant application pending, therefore, this Court deems it appropriate to finally dispose of the present application, without entering into the merits of the case, with a direction that the present applicant, in case, surrenders/appears before the court concerned within a period of two weeks from today and move bail application, same shall be considered and decided by the learned

court concerned within a period of two weeks thereafter.

6. For a period of four weeks or till the decision on the bail application, whichever is earlier, no coercive action shall be taken against the applicant in Criminal Case No.3694 of 2017 (State Vs. Abdul Wakeel and others), arising out of Case Crime No.488 of 2017, under Section 3/5/8 of Cow Slaughter Act, Police Station Sonha, District Basti, pending in the court of learned 5th Civil Judge Junior Division Basti.

7. Accordingly, instant application is **disposed of**.

Order Date :- 16.11.2023

Mini